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FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

JUL 12 2016

SEAN E. McAVOY, CLERK  
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YAKIMA, WASHINGTON

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**1:16-CR-2049-SAB**

UNITED STATES OF AMERICA, ) INDICTMENT

Plaintiff,

vs.

JOSE ENRIQUE ESTRADA,

Defendant.

)  
)  
) Ct. 1: 21 U.S.C. § 841(a)(1) - Possession  
) with Intent to Distribute Methamphetamine  
)  
) Ct. 2: 18 U.S.C. § 924(c)(1)(A) – Possession  
) of Firearm in Furtherance of Drug  
) Trafficking Crime  
)  
) Ct. 3: 18 U.S.C. § 922(g)(1) – Felon in  
) Possession of a Firearm  
)  
) Notice of Forfeiture - Controlled Subst. Viol.  
)  
) Notice of Firearm Forfeiture  
)

The Grand Jury charges:

**COUNT 1**

That on or about June 4, 2016, in the Eastern District of Washington, the  
Defendant, JOSE ENRIQUE ESTRADA, did knowingly and intentionally possess  
with intent to distribute fifty grams or more of actual methamphetamine, a

1 Schedule II controlled substance, all in violation of Title 21, United States Code,  
2 Section 841(a)(1).  
3  
4

5 **COUNT 2**

6 On or about June 4, 2016, in the Eastern District of Washington, Defendant  
7  
8 JOSE ENRIQUE ESTRADA knowingly possessed a firearm, to wit: a Beretta  
9 Model 21A .22 caliber pistol, bearing serial number DAA341352, in furtherance of  
10 a drug trafficking crime for which he may be prosecuted in a court of the United  
11 States, to wit: possession with intent to distribute methamphetamine; in violation  
12 of Title 18, United States Code, Section 924(c)(1)(A).  
13  
14  
15

16 **COUNT 3**

17 On or about June 4, 2016, in the Eastern District of Washington, the  
18 Defendant, JOSE ENRIQUE ESTRADA, having been convicted of a crime  
19 punishable by imprisonment for a term exceeding one year, did knowingly possess  
20 in and affecting interstate commerce a firearm, to wit: a Beretta Model 21A .22  
21 caliber pistol, bearing serial number DAA341352, which had been shipped and  
22 transported in interstate and foreign commerce; all in violation of Title 18, United  
23 States Code, Section 922(g)(1) and 924.  
24  
25  
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1                    NOTICE OF CRIMINAL FORFEITURE ALLEGATIONS

2                    Controlled Substance Violations

3  
4  
5            The allegations contained in Count 1 of this Indictment are hereby realleged  
6 and incorporated by reference for the purpose of alleging forfeitures pursuant to  
7 Title 21, United States Code, Section 853.  
8

9            Pursuant to Title 21, United States Code, Section 853, upon conviction of an  
10 offense in violation of Title 21, United States Code, Sections 841, the Defendant,  
11 JOSE ENRIQUE ESTRADA, shall forfeit to the United States of America, any  
12 property constituting, or derived from, any proceeds obtained, directly or  
13 indirectly, as the result of such offense(s) and any property used or intended to be  
14 used, in any manner or part, to commit or to facilitate the commission of the  
15 offense(s).  
16  
17  
18

19            If any forfeitable property, as a result of any act or omission of the  
20 Defendant:  
21

- 22            (a) cannot be located upon the exercise of due diligence;  
23            (b) has been transferred or sold to, or deposited with, a third party;  
24            (c) has been placed beyond the jurisdiction of the court;  
25            (d) has been substantially diminished in value; or  
26  
27  
28

1 (e) has been commingled with other property which cannot be divided  
2 without difficulty;  
3  
4 the United States of America shall be entitled to forfeiture of substitute property  
5 pursuant to Title 21, United States Code, Section 853(p).  
6  
7

8 **NOTICE OF FORFEITURE (FIREARM)**  
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10 The allegations contained in Counts 2 and 3 of this Indictment are hereby  
11  
12 realleged and incorporated by reference for the purpose of alleging forfeitures  
13 pursuant to Title 18, United States Code, 924(d)(1) and Title 28, United States  
14 Code, Section 2461(c).  
15

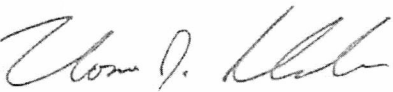
16 Upon conviction of the offense of unlawful possession of a firearm in  
17 violation of Title 18, United States Code, Section 924(c)(1)(A), as charged in  
18 Count 2 of this Indictment, and in violation of Title 18, United States Code,  
19 Section 922(g)(1), as charged in Count 3 of this Indictment, Defendant JOSE  
20 ENRIQUE ESTRADA shall forfeit to the United States of America, pursuant to  
21 Title 18, United States Code, 924(d)(1) and Title 28, United States Code, Section  
22 2461(c), the property that was involved in the commission of the offenses charged  
23 in Counts 2 and 3, specifically: a Beretta Model 21A .22 caliber pistol, bearing  
24 serial number DAA341352.  
25  
26  
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1 DATED: July 12, 2016

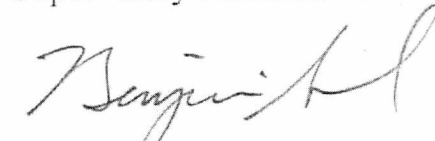
2 A TRUE BILL

3  
4  
5 Foreperson

6 MICHAEL C. ORMSBY  
7 United States Attorney

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10 THOMAS J. HANLON  
11 Supervisory Assistant United States Attorney

12 

13 BENJAMIN D. SEAL  
14 Assistant United States Attorney